

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1914 - SB 1896

February 16, 2020

SUMMARY OF ORIGINAL BILL: Restricts the width of a private easement or right-of-way for the purpose of ingress and egress and extending utility lines to 15 feet in counties with a metropolitan form of government and to 20 feet for all others. Authorizes courts to award attorney fees to the defending landowner in an action for an easement or right-of-way brought by a private person owning land obstructed entirely from a public road. Specifies that there is no right to have an easement or right-of-way condemned and set aside for the benefit of the land surrounded or enclosed by the lands of any other person if the ingress or egress to and from the land is cut off or obstructed entirely from a public road or highway as a result of the intentional and knowing action of the owner of the surrounded or enclosed land.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014786): Deletes and replaces all language after the enacting clause, such that the only substantive change is restricting the width of a private easement or right-of-way for the purpose of ingress and egress and extending utility lines to 15 feet in counties with a metropolitan form of government and to 25 feet for all others.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Any impact resulting from this legislation will be borne by private parties to civil actions.
- This legislation will not significantly impact courts' caseloads. Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jmg